



Order Filed on February 5, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

833022

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**Attorneys for The Bank Of New York Mellon fka The Bank
Of New York, As Trustee (CWALT 2007-17CB)**

In Re:

MERCEDES HURTADO

Case No: 18-26385 - VFP

Hearing Date: 12/19/2019

Judge: Vincent F. Papalia

Chapter: 13

**ORDER RESOLVING SECURED CREDITOR'S APPLICATION TO TERMINATE LOSS
MITIGATION**

The consent order set forth on the following pages, numbered two (2) through two (2) is
hereby **ORDERED**.

DATED: February 5, 2020



Honorable Vincent F. Papalia
United States Bankruptcy Judge

NJID 833022

PHELAN HALLINAN DIAMOND & JONES, PC

1617 JFK Boulevard, Suite 1400

Philadelphia, PA 19103

856-813-5500

Attorneys for THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK,
AS TRUSTEE (CWALT 2007-17CB)

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

IN RE:

MERCEDES HURTADO

CASE NO. 18-26385-VFP

Debtors

CHAPTER 13

ORDER RESOLVING SECURED CREDITOR'S
APPLICATION TO TERMINATE LOSS MITIGATION

HEARING DATE:

This Order pertains to the property located at 76 SOUTH PARKWAY, CLIFTON, NJ 07014, mortgage account ending with "0191";

THIS MATTER having been brought before the Court by, THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE (CWALT 2007-17CB) (hereinafter "**SECURED CREDITOR**") by and through its attorneys, Phelan Hallinan Diamond & Jones, PC having filed an application to terminate loss mitigation, and Mercedes Hurtado, by and through her counsel, Russell L. Low, Esq., and the parties having subsequently resolved their differences; and the Court noting the consent of the parties to the form, substance and entry of the within Order; and for other and good cause shown:

IT IS ORDERED as follows;

1. Debtor agrees to submit all missing documents to the DMM portal no later than **December 31st, 2019, with no further extensions**. If all missing documents are not submitted at that time, Debtor will not be reviewed for loss mitigation.
2. The loss mitigation period will **terminate on December 31st, 2019, with no further extensions**.
3. Secured Creditor agrees to perform a good faith full review of Debtor's full and complete application after termination as long as Debtor complies with the terms of paragraph 1 of this order.
4. If a loan modification is not offered to the debtor, debtor shall do one of the following: 1) file a Modified Plan to cure the arrearage claim of Movant; or 2) file a Modified Plan to surrender the property subject to said claim; or 3) a Notice to Convert to Chapter 7; or 4) a Notice to Dismiss Case.
5. In the event Debtor is not offered a Loan Modification, Debtor must begin to tender the full regular monthly mortgage payment to Secured Creditor.
6. This Order does not replace the rules and procedures of the Court's Loss Mitigation Program and both parties are bound by same.
7. This Order shall be incorporated in and become a part of any Order Confirming Plan in the herein matter.

Certificate of Notice Page 3 of 3

United States Bankruptcy Court
District of New JerseyIn re:
Mercedes Hurtado
DebtorCase No. 18-26385-VFP
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin
Form ID: pdf903Page 1 of 1
Total Noticed: 1

Date Rcvd: Feb 05, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 07, 2020.

db +Mercedes Hurtado, 76 South Parkway, Apt.1, Clifton, NJ 07014-1412

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Feb 07, 2020

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 5, 2020 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor Loan Care Servicing Center, Inc.
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com

Marie-Ann Greenberg magecf@magtrustee.com

Nicholas V. Rogers on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK,
AS TRUSTEE (CWALT 2007-17CB) nj.bkecf@fedphe.com

Rebecca Ann Solarz on behalf of Creditor Ditech Financial, LLC. rsolarz@kmlawgroup.com

Rebecca Ann Solarz on behalf of Creditor Loan Care Servicing Center, Inc.
rsolarz@kmlawgroup.com

Robert Davidow on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK,
AS TRUSTEE (CWALT 2007-17CB) nj.bkecf@fedphe.com

Russell L. Low on behalf of Debtor Mercedes Hurtado ecf@lowbankruptcy.com,
ecf@lowbankruptcy.com;r57808@notify.bestcase.com

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8